

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: ETHICON, INC.
PELVIC SUPPORT SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL 2327

THIS DOCUMENT RELATES TO THE
CASES IN EXHIBIT A ATTACHED HERETO

INACTIVE DOCKET ORDER

The Court has been advised by counsel that in the cases listed on the attached Exhibit A, the plaintiffs and Ethicon, Inc.¹ ("Ethicon") have agreed to a settlement model with regard to Ethicon. The Court, therefore, finds it unnecessary to conduct further proceedings or to keep these cases on the active docket. Accordingly, the Court **ORDERS** as follows:

1. All discovery deadlines are continued until further order of the Court.
2. That the Clerk retire each of the cases listed on the attached Exhibit A to the pending inactive docket.
3. Plaintiffs and Ethicon may submit an agreed order of dismissal with prejudice on or before August 31, 2018; if settlements are not finalized and dismissal orders are not submitted by August 31, 2018, then the Court will have a hearing to determine the appropriate action pertaining to any remaining cases on the inactive docket.

Counsel for plaintiffs and defendant(s) are directed to provide quarterly reports as to their progress in dismissing cases on the inactive docket. The Court is aware that counsel have agreed

¹ As used herein, "Ethicon" refers collectively to Johnson & Johnson, Ethicon LLC, Ethicon, Inc. as well as any of its former or present parent companies, subsidiaries, affiliated companies, directors, officers, design surgeons, employees, distributors, detail representatives named in an action pending in MDL No. 2327

to a settlement model for a group of cases and claims, including those on Exhibit A. The Court will reinstate any case on the attached Exhibit A to the active docket if one of the parties, on motion, shows good cause for such reinstatement. Good cause includes, but is not limited to, a plaintiff's refusal or inability to consummate settlement. Such motion must be accompanied by an affidavit from plaintiff explaining such refusal or inability.

The Court **DIRECTS** the Clerk to file a copy of this order in MDL No. 2327 and in the individual cases listed on the attached Exhibit A. The Clerk is further **DIRECTED** to link this Order to the Proposed Inactive Docket order filed at ECF NO. 5719, and send a copy of this Order to counsel of record and any unrepresented party.

Respectfully submitted,

/s/ William M. Gage
William M. Gage (MS Bar #8691)
Butler Snow LLP
1020 Highland Colony Parkway
Suite 1400 (39157)
P.O. Box 6010
Ridgeland, MS 39158-6010
(601) 985-4561
william.gage@butlersnow.com

/s/ Susan M. Robinson
Susan M. Robinson (W. Va. Bar #5169)
Thomas Combs & Spann PLLC
300 Summers Street
Suite 1380 (25301)
P.O. Box 3824
Charleston, WV 24338
(304) 414-1800
srobinson@tcspllc.com



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

EXHIBIT A**ROBINSON CALCAGNIE**

2:12-cv-00809	McGrath v Ethicon et al
2:12-cv-00837	Tenney v Ethicon et al
2:12-cv-01763	Haley v Ethicon et al
2:12-cv-02292	Lafour v Ethicon et al
2:12-cv-06119	Deans v Ethicon et al
2:12-cv-09125	Finkel v Ethicon et al
2:13-cv-01903	Sawyer v Ethicon et al
2:13-cv-01927	Belco v Ethicon et al
2:13-cv-02683	Gandy v Ethicon et al
2:13-cv-07179	Markland v Ethicon et al
2:13-cv-07307	Kingery v Ethicon et al
2:13-cv-08798	Melgosa v Ethicon et al
2:13-cv-10149	Magnuson v Ethicon et al
2:13-cv-13849	Bellino v Ethicon et al
2:13-cv-17050	McCaughey v Ethicon et al
2:13-cv-17161	Pittman v Ethicon et al
2:13-cv-18063	Tucky v Ethicon et al
2:13-cv-18589	Branscom v Ethicon et al
2:13-cv-19784	McIntire v Ethicon et al
2:13-cv-21224	Ortega-Evans v Ethicon et al
2:13-cv-29154	Nelson v Ethicon et al
2:13-cv-29231	Loker v Ethicon et al
2:14-cv-15679	MacDade v Ethicon et al
2:14-cv-19178	White v Ethicon et al
2:15-cv-00749	Moore v Ethicon et al
2:16-cv-00645	Nelson v Ethicon et al
2:16-cv-00648	Morse v Ethicon et al
2:16-cv-00792	Draper-Stuck v Ethicon et al
2:16-cv-01244	Poll v Ethicon et al
2:16-cv-03103	Falco v Ethicon et al